

## **REMARKS**

### **I. Formal Matters**

After entry of the foregoing amendments, claims 24-27 are pending in this application. Claims 1-23 are hereby cancelled. Applicant thanks the Examiner for allowing claims 25-27 (Office Action Summary). Applicant notes that paragraph 3 on page 4 fails to list claim 25 under Allowable Subject Matter. Please indicate allowable subject matter of claim 25 in the subsequent office action. Applicant also thanks the Examiner for acknowledging the claim to priority under 35 U.S.C. §119 and for confirming receipt of a certified copy of Applicant's priority document.

### **II. Drawings**

The Examiner objects to Figs. 6A-6B, 7A-7B and 8A-8B and requests that they be labelled as "Prior Art." The disclosure in paragraphs [0006] - [0009] was known only within the inventors' company at the time of foreign priority filing (August 2002), and represents the evolution of the invention and thought process of the inventors in formulating the present invention. The disclosure and figures describe and illustrate, in part, the problem, which the inventors perceived and would subsequently solve. The disclosure in paragraphs [0006] - [0009] and Figs. 6A-6B, 7A-7B and 8A-8B was not generally known by those skilled in methods for semiconductor manufacturing. Accordingly, replacement drawings for Figs. 6A-6B, 7A-7B and 8A-8B are hereby labelled as --Related Art--. In turn, withdrawal of the objection to the drawings is respectfully requested.

### III. Claims

Claim 24 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over “Applicant’s admitted prior art” (AAPA) in combination with *Haller*, U.S. Patent No 4,888,632. Applicant respectfully traverses this rejection in view of the following remarks. The Examiner refers to Figures 6-8 and the corresponding disclosure, paragraphs [0006] -[0009], as AAPA.

The combination of alleged AAPA ([0006] - [0009]) and *Haller* fails to disclose *a sacrificial layer, having an etching rate different from that of the photoresist, said sacrificial layer being removable by use of a stripping solution*. In contrast, Applicant claims “a semiconductor device serving as an intermediate product...comprising: a light absorbing sacrificial film, which has an etching rate different from that of a photoresist and is removable by use of a stripping solution...” (claim 24). Applicant claims a device in which the absorbing (or antireflective layer) can be removed separate from the photoresist layer because said absorbing or anti-reflective layer has a different etching rate.

Neither the alleged AAPA nor *Haller* teaches or suggests the use of a sacrificial film having an etching rate different from the photoresist. Applicant respectfully asserts that the combined references fail to teach or suggest the claimed element of a sacrificial layer, with a different etching rate compared to the photoresist. At least for failing to teach or suggest a sacrificial layer, with a different etching rate compared to the photoresist, the alleged obviousness rejection over alleged AAPA in view of *Haller* under 35 U.S.C. §103(a) is not proper and should be withdrawn.

AMENDMENT UNDER 37 C.F.R. §1.111  
U.S. SERIAL NO. 10/642,279

ART UNIT 2814  
Q76951

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

The USPTO is directed and authorized to charge all required fees (except the Issue/Publication Fees) to our Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

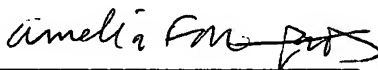
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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ART UNIT 2814  
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**AMENDMENTS TO THE DRAWINGS**

Pursuant to the Examiner's requirement set forth in numbered paragraph 1 on page 2 of the Office Action, Figs. 6A-6B, 7A-7B and 8A-8B are hereby labelled as --Related Art--.

Attachment: Three (3) Replacement Sheets